

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

CHRISTOPHER SMITH,

Defendant.

**INDICTMENT**

23 Cr. *USL*

**COUNT ONE**

**(Conspiracy to Commit Hobbs Act Robbery)**

The Grand Jury charges:

1. In or about July 2023, in the Southern District of New York and elsewhere, CHRISTOPHER SMITH, the defendant, and others known and unknown, knowingly combined, conspired, confederated, and agreed together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, SMITH conspired with others to rob (i) a liquor store in the vicinity of East Prospect Avenue, Mount Vernon, New York, (ii) a sandwich shop in the vicinity of Tuckahoe Road, Yonkers, New York, and (iii) a liquor store in the vicinity of Kimball Avenue, Yonkers, New York.

(Title 18, United States Code, Section 1951.)

**COUNT TWO**

**(Hobbs Act Robbery)**

The Grand Jury further charges:

2. On or about July 25, 2023, in the Southern District of New York and elsewhere, CHRISTOPHER SMITH, the defendant, knowingly committed robbery, as that term is defined in

Title 18, United States Code, Section 1951(b)(1), and thereby obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and aided and abetted the same, to wit, SMITH robbed at gunpoint a liquor store in the vicinity of East Prospect Avenue, Mount Vernon, New York.

(Title 18, United States Code, Sections 1951 and 2.)

**COUNT THREE**  
**(Hobbs Act Robbery)**

The Grand Jury further charges:

3. On or about July 25, 2023, in the Southern District of New York and elsewhere, CHRISTOPHER SMITH, the defendant, knowingly committed robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and aided and abetted the same, to wit, SMITH robbed at gunpoint a sandwich shop in the vicinity of Tuckahoe Road, Yonkers, New York.

(Title 18, United States Code, Sections 1951 and 2.)

**COUNT FOUR**  
**(Attempted Hobbs Act Robbery)**

The Grand Jury further charges:

4. On or about July 28, 2023, in the Southern District of New York and elsewhere, CHRISTOPHER SMITH, the defendant, knowingly attempted to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), which would have thereby obstructed, delayed, and affected commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), and aided and abetted the

same, to wit, SMITH attempted to rob at gunpoint a liquor store in the vicinity of Kimball Avenue, Yonkers, New York.

(Title 18, United States Code, Sections 1951 and 2.)

**COUNT FIVE**  
**(Firearms Use, Carrying, and Brandishing)**

The Grand Jury further charges:

5. On or about July 25, 2023, in the Southern District of New York and elsewhere, CHRISTOPHER SMITH, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the Hobbs Act robbery charged in Count Two of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, which was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and (ii).)

**COUNT SIX**  
**(Firearms Use, Carrying, and Brandishing)**

The Grand Jury further charges:

6. On or about July 25, 2023, in the Southern District of New York and elsewhere, CHRISTOPHER SMITH, the defendant, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely, the Hobbs Act robbery charged in Count Three of this Indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed a firearm, which was brandished.

(Title 18, United States Code, Sections 924(c)(1)(A)(i) and (ii).)

**FORFEITURE ALLEGATION**

7. As a result of committing the offenses alleged in Counts One, Two, and Three of this Indictment, CHRISTOPHER SMITH, the defendant, shall forfeit to the United States,

pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Assets Provision**

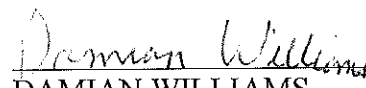
8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
DAMIAN WILLIAMS  
United States Attorney